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REMARKS

Claims 1-8, 10, 12-64 stand in the application, with claims 1, 3-5, 7, 10, 12-20, 22 having been amended and claims 24 to 64 added.

Claims 9 and 11 have been cancelled without prejudice.

Allowable Subject Matter

The finding by the Office that claims 4 to 6 and 23 would be allowable if rewritten in independent form is gratefully acknowledged. Those claims have accordingly been rewritten in independent form as claims 24 to 27 including all of the limitations of the base claims and any intervening claims.

In addition, new claim 28 adding a dependent feature to claim 27 has been added.

It will be appreciated that a security interest document by definition relates to a property being used as security or collateral. Accordingly, a transaction involving a security interest document must relate to a property unit. For clarity on this point however, in claim 24 (i.e. old claim 4 as re-written in independent format), references to the underlying property unit have been added.

Claim Objections

Claim 4 was also objected to as informal because the phrase "security document interest" was inconsistent with the phrase "security interest document". Claim 4 has been amended to make the correction as requested. New claim 24 also incorporates the correct language.

Drawings

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An objection was made to Figure 1 in that the text description of block 34 reads "Escrow The Agent Computer" rather than "escrow/title agent computer" referred to in the text. In the enclosed proposed drawing correction, it is proposed to replace the text in block 34 of Figure 1 with the phrase "Escrow/Title Agent Computer".

Claim Rejections - 35 USC §102

The Office objected to claims 1, 13 and 14 as allegedly being anticipated by Aleia *et al* U.S. Patent No. 5,991,733 ("Aleia"). These objections are respectfully traversed for the reasons set out below.

General

An appreciation of the following two points is necessary.

1. Multiple Service Providers Entering Data into Central Repository

In one embodiment of the invention disclosed in the present application, an important aspect is that the central repository or database be automatically accessible to multiple service providers involved in the recovery process. This allows relevant information, including instructions, to be communicated, not only from the database to multiple service providers, but from the multiple service providers to the central database. That is, the multiple service providers can up-date the information stored in the database.

This feature in a transaction processing system reduces or eliminates the need for a human operator:

- _ to manually or individually receive or handle reports or other information from a service provider;
- _ to make a decision as to, or a selection of, what information (if any) to enter or copy into the central database; and,

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- to then take the necessary steps to enter or copy the selected information (if any) into the central database.

Such human participation can be problematic because relevant information may be delayed in being, or entirely neglected to be, incorporated into the database or may be copied or transcribed incompletely or incorrectly into the database, whereby such information may be lost (in a best case), or even misleading (in a worst case), to downstream service providers or others obtaining information from the database. This could at least lead to inefficiencies in the recovery process, if not costly errors or losses. In addition, of course, such human participation involves the additional costs associated with the use of human operators.

In complete contrast, in this aspect of the invention disclosed, the service providers enter up-dating information into the central database which is thereafter accurately available to others receiving information from or accessing the central database, including other service providers.

This feature allowing multiple service providers to enter information into the central database becomes particularly useful in the context of the processing of transactions associated with property units. Such transactions may frequently involve numerous service providers. For example, consider the simple and common situation of an unpaid debt on a new car loan secured by a chattel mortgage on the car. Recovery of this debt may involve service providers such as:

- skip tracers (possibly in different jurisdictions) to locate an absconded debtor,
- a private investigator to monitor the debtor's activities when he is located,
- the police to receive any required seizure notices and possibly to be available to keep the peace,
- a recovery agent to repossess the car when located,
- an appraiser to assess the value of the car when repossessed,
- a sales agent to sell the car for the maximum amount reasonably possible,
- a collection agent to attempt to recover any deficiency balance owed to the creditor,

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- an attorney to sue the debtor to attempt to recover any deficiency balance owed to the creditor,
- bailiffs (possibly in different jurisdictions) to seize further assets of the debtor pursuant to a judgment which may be obtained against the debtor, and
- further appraisers and sales agents to sell such additional seized assets.

In view of the potential significant number of service providers participating in a transaction involving a property unit, it becomes highly advantageous to provide such service providers with the ability to up-date the transaction information in the central database to accurately indicate the current status of the transaction, all for the efficient and effective collection of the debt.

This feature is not disclosed in any of the cited prior art.

To emphasize the above point, claims 1 and 13 have been amended to indicate that it is the coordination of communications with multiple service providers in response to the transaction information in the central database but with the transaction being updated by the service providers to indicate the current status of the transaction.

2. Recovery of a Property Unit

It is stated on p.4 of the official action (re claim 3) that it would have been obvious to "include transactions for the financing of a property unit instead of an insurance premium in view of the suggestion by Aleia *et al* that other types of receivables are applicable to the invention" (underlining added). This statement and several others to like effect appear to suggest that the Office is of the view that a property unit is a type of receivable. With respect, this is not the case. A property unit is clearly not a receivable. A proper appreciation of the difference is important to an understanding of one aspect of the invention.

The word "receivables" means "amounts of money receivable"; see the enclosed extract from Webster's Ninth New Collegiate Dictionary. Amounts of

* e.g. p.5 (re claims 7 and 8), p.5 (re claim 9), p.6 (re claim 12), p.6 (re claim 16)

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money can become receivable pursuant to various legal relationships, such as the particular example described in Aleia, namely contracts to pay insurance premiums. Another very common way of creating a receivable is to sell goods or services pursuant to a contract upon the completion of which a receivable is created.

A property unit as described in the disclosure is not a receivable and is not inherently related to a receivable. Generally, "property" may be considered to be "something owned or possessed" or something over which a particular person has "the exclusive right to possess, enjoy and dispose of"; again, see the enclosed extract from Webster's Ninth New Collegiate Dictionary. In the context of one aspect of the invention, a property unit would most commonly be a specific item of physical or tangible property (e.g. a car, a boat, an airplane, a house).

As described in the disclosure, in particular types of financial transactions, a transaction may be associated with a property unit. This association of the transaction with a property unit is there for the protection of the financial institution in case the transaction itself goes into default. For example, in a secured loan situation, the loan is associated with a certain property unit offered as collateral. If the loan goes into default (i.e. there is an outstanding receivable), in addition to having the right to collect its receivable directly, the lender will have certain rights relating to the property unit. For example, the lender may:

- foreclose against the property unit, i.e. take ownership of the property unit in full satisfaction of the outstanding debt; or,
- may manage and/or sell the property unit and apply the sale proceeds to the outstanding loan/receivable. Any excess sale proceeds are returned to the debtor and any deficiency in the sale proceeds may be pursued by the lender as any other debt.

Although advantageous to a creditor to ensure repayment or minimize loss, the association of a transaction with a property unit tremendously complicates the recovery process in case of default and typically adds numerous actions specific to the property unit as well as the requirement for effectively managing numerous

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service providers to undertake the necessary actions. In even the simple example referred to above (i.e. the common situation of a new car loan) and in other examples set out in the disclosure, the recovery of debt associated with a property unit can become very complicated very quickly. Even in the insurance context, when the transaction is associated with a property unit (e.g. an insurance claim on a damaged or stolen vehicle), a recovery process can become as quickly and as equally complicated because of the involvement of multiple service providers (e.g. title searchers, claim representatives, adjusters, appraisers, repair shops, storage facilities, wreckers, sales agents, police).

Finally, on this topic, it should be clearly appreciated that the meaning of the word "recover" in the context of "recover a receivable" is quite different from its meaning in the context of "recover a property unit". In the former, the word "recover" simply means that the creditor collects or receives payment of the receivable or debt, i.e. the money is paid. In the latter, "recover" means gain physical possession of or legal control over the property unit, which is usually one or more specific items of physical or tangible property.

Claims 1 and 13

As noted, the Office objected to claims 1 and 13 in view of Aleia.

Aleia discloses a detailed method and computerized system to allow a financial institution to manage its receivables (i.e. collections) in-house. Aleia does not teach a system providing automated coordination with multiple service providers in which the transaction information in the central repository may be updated by any external service providers.

Although Aleia states that "a 'seamless' electronic link is provided between internal collection activities and external vendors, including but not limited to collection agencies and attorneys" (e.g. c.2, l.48-51, as well as c.3, l.67 to c.4, l.3), there is no disclosure that any external vendors, including collection agencies or attorneys, may up-date the central repository or database. In fact, to the contrary, Aleia's further disclosures make it clear that his system in fact contemplates that

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external vendors, such as collection agencies and attorneys, will not up-date the central repository or database.

More specifically, Aleia's system includes a remote site interface processing function 14 (Fig. #1L) which provides as set out in Aleia "inquiry capability to off-site locations such as collection agencies and attorneys; capability to import data from off-site locations to the present invention computerized system database in a cut and paste environment" (see c.12, l.48-51; underlining added). Thus, Aleia clearly describes that the in-house collection clerk may receive data or reports from outside service providers from which the clerk would have to copy (i.e. "cut and paste") such portions of the report as the clerk considered were relevant into the central database. There is no mention or suggestion in the description of the remote site interface processing means 14 or elsewhere in the Aleia disclosure that collection agencies and attorneys could or should up-date the central database themselves.

In addition, Aleia describes (at c.18, 1.61-c.19, 1.28) the process by which his system contemplates the communication of information to collection agencies or attorneys. At c.19, l.3, it is stated that "pertinent data [is] fed to the collection agency electronically by facsimile or fax/modem 1214. Upon assignment of the case to the collection agency, documents pertinent to the resolution of the case are copied and forwarded 1206 to the collection agency..."; underlining added. Further along at c.19, l.15, it is stated that "The case summary along with other data pertinent to the case can be electronic mailed to the local counsel 1205". And, at c.19, l.24, it is stated that "this portion of the workflow process, among other functions, automates facsimile generation 1204, electronic mailed transmission of predetermined collection related data to local counsel 1204..."; underlining added. There is no disclosure in this section of Aleia or elsewhere therein that the communications from the central database or in-house collection clerk are other than by facsimile or e-mail. In particular, there is no suggestion that any outside service providers may themselves up-date information in the central database.

Former claim 11 included limitations to a method in which a plurality of service providers were involved. As noted, claims 1 and 13 have now been

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amended to add limitations to a recovery process in which multiple service providers are involved and in which said service providers up-date the transaction information in the database. Such limitations are not disclosed in Aleia and it is thus submitted that both claims 1 and 13 as amended are allowable over Aleia.

In view of the amendments to claim 1, claim 11 has now been cancelled without prejudice.

Claim 14

The Office also objected to claim 14 on the basis of Aleia.

In amended claim 13, a limitation has been included whereby the computer executable means includes means to receive reporting information from the multiple service providers "electronically over a communication network". As that limitation from former claim 14 has now been included in amended claim 13, former claim 14 has been cancelled without prejudice.

As noted above, it is submitted that Aleia does not disclose the automatic up-dating of the central database by the multiple services providers.

Claim Rejections - 35 USC §103

Aleia

The Office objected to claims 3, 7-12,15-18 and 20-21 as allegedly being obvious in light of Aleia. These objections are respectfully traversed for the reasons set out below.

As noted above, there is no suggestion, let alone clear teaching, in Aleia that Aleia's system may or should be adapted to allow multiple service providers to up-date the transaction information in the database. Accordingly, for

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this reason, in view of the amendments to claims 1 and 13, all of claims 3, 7-12,15-18 and 20-21 should be allowed.

The following additional remarks are offered.

Claim 3

As noted above, a "property unit" is not a "receivable" and thus Aleia's system relating to "receivables" has nothing whatsoever to do with property units and it is far from obvious that Aleia could or should be modified to assist in the taking of actions specific to property units. The inclusion of a property unit in a transaction and the need to take steps in respect thereof complicate the recovery process tremendously. Aleia does not even contemplate any of the problems or complexities associated with the handling of property units, let alone offer or suggest any solution for same. In short, there is no suggestion, let alone clear teaching, in Aleia that Aleia's system may or should be used to assist in transactions which involve actions to be taken in respect of property units and it is respectfully submitted that any objection on this basis be withdrawn.

New claim 29 (dependent on claim 1) has been inserted to emphasize that the recovery process includes one or more actions specific to the property unit. Former claim 3 has been modified to be dependent on new claim 29. In view of the preceding, it is respectfully submitted that amended claim 3 and new claim 29 are allowable.

Claims 7 and 8

The same remarks as for claim 3 are applicable to claims 7 and 8. In addition, it is again noted that "recovery of a property unit" is completely different from "recovery of a receivable".

Claim 9

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In view of the addition of limitations to claim 1 as referred to above, former claim 9 has been cancelled without prejudice. Aleia does not teach a system in which multiple service providers may up-date the transaction information in the central repository.

Claim 10

It is alleged that Aleia discloses that "at least one agent being provided access to a predetermined set of transaction documents from the central repository". With respect, the passages referred to in the official action on this point (i.e. c.3, 1.67 to c.4, 1.3; c.4, 1.5-10; c. 7, 1.18-31,41-52; c.12, 1.41-46) make no such disclosure.

Claim 11

It is alleged that Aleia discloses a plurality of agents. With respect, Aleia does not disclose, either in the cited passages or elsewhere, a plurality of service providers capable of up-dating the central repository. In view of the addition of limitations to claim 1 as referred to above and as already noted above, former claim 11 has been cancelled without prejudice.

Claim 12

The remarks made above in respect of Claim 3 are applicable to claim 12.

Claim 15

Former claim 15 has been split into a replacement claim 14 (for "Internet connection") and an amended claim 15 (for "proprietary connection"). In view of the amendments to claim 13, it is submitted that both claims 14 and 15 are allowable.

Claim 16

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It is alleged that Aleia discloses transaction information having been received by an application from a customer profile input module. With respect, the passages of Aleia referred to in the official action (i.e. c.7, l.45-51 and Fig.#1F) make no such disclosure. The cited passage refers to the use by Aleia of historical data to assist in determining a collection strategy for a current account under collection.

It is also alleged that Aleia discloses "a recovery module, wherein information relating to a recovery of an account is retrieved from the data repository and written to the data repository". The cited passage (c.12, l.61 to c.13, l.47) relates only to the activities of the in-house collection clerk who is operating the system. There is no disclosure in this passage, or elsewhere in Aleia, that multiple service providers can or should write information to the data repository.

In addition, the remarks made above in respect of Claim 3 are applicable to claim 16.

Claim 17

In view of the amendments to claim 13, it is submitted that claim 17 is allowable.

Claim 18

In view of the amendments to claim 13, it is submitted that claim 18 is allowable.

Claim 20

It is alleged that Aleia discloses a document module which "retrieves on[e] of an image data document and a database driven document from the data repository". With respect, Aleia does not disclose a system in which the relevant transaction documents are included with the transaction information stored in the database. Aleia states: "Upon assignment of the case to the collection agency, documents pertinent to resolution of the case are copied and forwarded 1206 to the

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collection agency..." (c.19, l.5-8). As can be seen in Fig.#12, the step of copying and forwarding documents 1206 is separate and distinct from the step of feeding data electronically 1214.

In view of the amendments to claim 13, it is submitted that claim 20 is allowable.

Claim 21

It is alleged that Aleia discloses a payments module "providing at least one of payment history and invoice generation relating to the transaction". However, with respect, the cited passage (c.13, l.25-45) in fact does not make such a disclosure.

In view of this fact and the amendments to claim 13, it is submitted that claim 21 is allowable.

Aleia/Taricani

The Office objected to claim 2 as allegedly being obvious in light of Aleia in view of Taricani Jr, U.S. Patent No. 6,016,479 ("Taricani"). This objection is respectfully traversed for the reasons set out below.

Taricani is dated January 18, 2000. Its earliest date of record is February 10, 1998. Applicant reserves his right to swear behind Taricani. Without prejudice to this position, the following observations are offered.

As noted above, Aleia does not disclose a system in which multiple service providers can up-date the transaction information stored in the central repository. There is no teaching or suggestion in Taricani that this feature could or should be added to the Aleia system. Accordingly, in view of the amendments to

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claim 1, it is respectfully submitted that the objection to claim 2 on the basis of Aleia in view of Taricani be withdrawn.

Aleia/Peterson

The Office objected to claims 19 and 22 as allegedly being obvious in light of Aleia in view of Peterson *et al*, U.S. Patent No. 5,903,873 ("Peterson"). These objections are respectfully traversed for the reasons set out below.

Peterson is dated May 11, 1999. Its earliest date of record is May 31, 1996. Applicant reserves his right to swear behind Peterson. Without prejudice to this position, the following observations are offered.

As previously noted, Aleia does not disclose a system in which multiple service providers can up-date the transaction information stored in the central repository. There is no teaching or suggestion in Peterson that this feature could or should be added to the Aleia system. Accordingly, in view of the amendments to claim 1, it is respectfully submitted that the objections to claims 19 and 22 on the basis of Aleia in view of Peterson be withdrawn.

Additionally, in respect of claim 19, it is submitted that Peterson does not disclose a system in which information relating to transactions is communicated to a public authority, such as a security interest registration authority (e.g. a personal property security registrar), in the manner of one aspect of the present invention. Claim 19 has been amended to clarify that the communications are with a public authority. For this additional reason, it is respectfully submitted that the objection to claim 19 on the basis of Aleia in view of Peterson be withdrawn.

In addition, new claim 45 (dependent on claim 19) adds the further limitation that the registration module is operable to receive public information associated by the public authority with the transaction and stores same in the central data repository.

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NEW CLAIMS

No new subject matter has been added in any of the new claims added to the application.

As noted above, new claims 24 to 27 represent a re-writing in independent format of old claims 4 to 6 and 23, which the Examiner indicated would be allowable. New claim 28 adds a dependent feature to claim 27.

New claims 29 to 54 have been added to emphasize, or add limitations relating to, various dependent features. It is submitted that these claims are allowable as all depend from a base claim (i.e. claim 1 or 13 as amended), which it is submitted for the reasons set out above is allowable.

New independent claims 55, 57, 59, 60, 61 and 64 are of scope essentially the same as that of independent claims 1 or 13 as amended but claim the invention in different formats. The same submissions made in respect of claims 1 and 13 are applicable to new claims 55, 57, 59, 60, 61 and 64 and it is thus submitted that for the same reasons they all distinguish over the known prior art and are thus allowable.

New claims 56 (dependent on base claim 55), 58 (dependent on base claim 57), 62 (dependent on base claim 61) and 63 (dependent on base claim 61) add limitations relating to various dependent features. It is submitted that these claims are allowable as they depend from base claims, which as submitted in the preceding paragraph are allowable.

CONCLUSION

In view of the amendments, it is respectfully submitted that all of the claims are clearly and patentably distinguishable over all known prior art including Aleia and reconsideration and allowance of the application are therefore respectfully requested.

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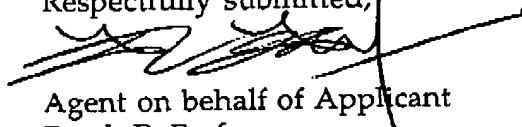
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EXTENSION OF TIME/ADDITIONAL FEES

Enclosed with this response is a request for a 3 month extension of time form and our authorization to charge the fees associated with the extension of time to our Deposit Account No. 040752.

Additionally, please charge to our Deposit Account No. 040752 the sum of \$642 for 41 new claims, including 7 new independent claims in excess of 3 independent claims, now found in this application. *This amount is believed to be correct, however any overpayment or deficiency in fees may also be charged to our Deposit Account.*

Respectfully submitted,


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THOMAS
THEODORE
THEOLOGY



'S Ninth New Collegiate Dictionary

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of rebound in basketball ~ v: to cause to rebound — **re-bound-er** \rē-boun-dər, 'rē-, bō̄nd̄r\ n (1530) 1 a: the action of rebounding : REBOUND b: an upward leap or movement : RECOVERY (a sharp ~ in prices) 2 a: a basketball or hockey puck that rebounds b: the act or an instance of gaining possession of a basketball rebound (leads the league in ~s) 3: a reaction to setback, frustration, or crisis (on the ~ from an unhappy love affair)

re-bou-zo \rē-'bōzō, -'bōzō\ n pl-zos [Sp. shawl, fr. rebozar to muffle, fr. re- (fr. L.) + bozo mouth, fr. (assumed) VL buccum, fr. L bucca cheek — more at MOUTH] 1: a long scarf worn chiefly by Mexican women

re-bran-ch \rē-brān'-ch\ vi (1888) : to form secondary branches

re-broad-cast \rē-brōd̄-,kast\ n -cast; -casting (1923) 1: to broadcast again (a radio or television program being simultaneously received from another source) 2: to repeat (a broadcast) at a later time — **re-broadcast** n

re-buff \rē-buf\ n [MF ribuffer, fr. OF rebufer to reprimand] (1586) : to reject or criticize sharply : SNUB — **re-buff** n

re-build \rē-büld\ vb -built \büt\ -build-ing n (1611) 1 a: to make extensive repairs to : RECONSTRUCT (~ a war-torn city) b: to restore to a previous state (as inventories) 2: to make extensive changes in : RESTRUCT (as society) ~ vi: to build again (planned to ~ after the fire) *syn* see MEND

re-bul-ka \rē-bülk\ n [L. byblia] ~ vi: to rebuke sharply : REPROVE — **re-buker** n

re-buk-e n (15c) : an expression of strong disapproval : REPRIMAND

rebus \rē-bəs\ n [L., by thing, abl. pl. of *res* thing — more at REAL] (1605) : a representation of words or syllables by pictures of objects or by symbols whose names resemble the intended words or syllables in sound; also : a riddle made up of such pictures or symbols

rebut \rē-büt\ vb -rebuted \büt\ -rebutting [ME rebuten, fr. FR. rebuter] 1: to contradict or oppose by formal legal argument, plea, or countervailing proof b: to expose the falsity of : REFUTE ~ vi: to make or furnish an answer or counter proof — **rebut-tal** \rē-büt-täl\ adj

rebut-tal \rē-büt-täl\ n (1830) : the act of rebutting esp. in a legal suit; also : argument or proof that rebuts

re-but-tal \rē-büt-täl\ n [AF rebuter, fr. OF rebouter to rebut] (1540) : the answer of a defendant in matter of fact to a plaintiff's surjeinder

rebut-tor n (1794) : one that rebuts

recal-ci-trant \rē-käl-si-tränt\ n (1856) : the state of being recalcitrant

recal-ci-trancy \rē-käl-si-trän-sē\ n (1869) : RECALCI TRANT

recal-ci-trant \rē-käl-si-tränt\ adj [LL recalci trant, recalci trans, pp. of recalci trare to stubbornly disobey, fr. L. to kick back, fr. re- + calcare to kick, fr. calc- calc heel — more at CALK] (1843) 1: obstinately defiant of authority or restraint 2 a: difficult to manage or operate b: not responsive to treatment c: RESISTANT (his subject is ~ both to observation and to experiment —G. G. Simpson) *syn* see UNRULY — **recalcitrant** n

recale-sce-re \rē-kä-lä-së-rē\ n (ca. 1869) [L. recalcere to grow warm again, fr. re- + calere to grow warm, incho, calere to be warm — more at LEE] (1873) : an increase in temperature that occurs while cooling metal through a range of temperatures in which change in structure occurs

recall \rē-käl\ vt (1582) 1 a: to call back (was ~ed to active duty) b: to bring back to mind (~s his early years) c: to remind one of : REMINISCE 2: CANCEL, REVOKE 3: RESTORE REVIVE *syn* see REMEMBRE — **re-call-ability** \rē-käl-ä-bil-i-tät\ n — **re-call-able** \rē-käl-ä-bal\ adj — **recaller** n

recall \rē-käl\ n (1611) 1: a call to return (~ of workers after a layoff) 2: the right or procedure by which an official may be removed by vote of the people 3: remembrance of what has been learned or experienced 4: the act of revoking 5: a public call by a manufacturer for the return of a product that may be defective or contaminated 6: the ability (as of an information retrieval system) to retrieve stored material

re-cam-ier \rē-käm'-yä\ n [Fr. its appearance in a portrait of Mine Recamier by Jacques-Louis David] (1938) : a usu. backless couch with a high curved headrest and low footrest

re-can-il-i-za-tion \rē-kän'-lä-zä-shän\ n (1953) : the process of reuniting an interrupted channel of a bodily tube (as a vas deferens) — **re-can-il-i-za-tion** \rē-kän'-lä-zä-shän\ n

re-can- \rē-kän\ vb [L. reconciliare, fr. re- + concilium to sing — more at CHANT] vi (1553) 1: to withdraw or repudiate (a statement or belief) formally and publicly : RENOUNCE 2: REVOKE ~ vi: to make an open confession of error *syn* see ABSTUR — **re-can-tation** \rē-kän'-tä-shän\ n

re-cap \rē-käp\ adj (ca. 1939) : a recapped tire

re-cap-i-tula-tion \rē-käp-ü-lä-täshän\ n (ca. 1933) : a revision of the capital structure of a corporation

re-cap-i-tula-tion \rē-käp-ü-lä-täshän\ n (1920) : to change the capital structure of

re-cap-i-tula-tion \rē-käp-ü-lä-täshän\ n (ca. 1939) : a recapped tire

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